United Nations A/58/580

General Assembly

Distr.: General
19 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda item 132

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Fifth Committee

Rapporteur: Mr. Fouad **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 21st and 29th meetings, on 24 November and 18 December 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.21 and 29).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the budget for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2004-2005 (A/58/226);

(b) Second performance report of the Secretary-General on the International Tribunal for the Former Yugoslavia for the biennium 2002-2003 (A/58/593);

(c) Comprehensive report of the Secretary-General on the progress made by the International Tribunal for the Former Yugoslavia in reforming its legal aid system (A/58/288);

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(d) Report of the Secretary-General on the supplementary estimates arising in respect of Security Council resolution 1503 (2003) on the creation of a new position of Prosecutor for the International Criminal Tribunal for Rwanda (A/58/368);

(e) Reports of the Advisory Committee on Administrative and Budgetary Questions (A/58/449 and A/58/605).

II. Consideration of draft resolutions A/C.5/58/L.28 and A/C.5/58/L.39

4. At its 29th meeting, on 18 December, the Committee had before it two draft resolutions, entitled "Second performance report on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2002-2003" (A/C.5/58/L.28) and "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" (A/C.5/58/L.39), which were submitted by the Chairman on the basis of informal consultations coordinated by the representative of Australia.

5. At the same meeting, the Committee adopted draft resolutions A/C.5/58/L.28 and A/C.5/58/L.39 without a vote (see para. 7 draft resolution I and II).

6. After the adoption of the draft resolutions, a statement in explanation of position was made by the representative of Japan (see A/C.5/58/SR.29).

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Second performance report for the biennium 2002-2003 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the second performance report of the Secretary-General for the biennium 2002-2003 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

[1] A/58/593.
[2] A/58/605.

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 56/247 A of 24 December 2001, 56/247 B of 27 March 2002 and 57/288 of 20 December 2002,

1. *Takes note* of the second performance report of the Secretary-General for the biennium 2002-2003 on the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

3. *Notes with concern* the late issuance of the second performance report of the Secretary-General for the biennium 2002-2003, bearing in mind the nature of the report and the period covered therein;

4. *Resolves* that, for the biennium 2002-2003, the amount of 262,653,700 United States dollars gross (235,955,000 dollars net) approved in its resolution 57/288 of 20 December 2002 for the budget of the International Tribunal for the Former Yugoslavia shall be adjusted by the amount of 25,668,500 dollars gross (18,803,200 dollars net) for a total amount of 288,322,200 dollars gross (254,603,800 dollars net).

Draft resolution II
Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the reports of the Secretary-General on the financing for the biennium 2004-2005 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 56/247 B of 27 March 2002 and 57/288 of 20 December 2002,

Recalling also Security Council resolution 1503 (2003) of 28 August 2003 concerning the creation of a new position of Prosecutor of the International Criminal Tribunal for Rwanda,

Welcoming the developments and improvements in the management and the activities of the International Tribunal for the Former Yugoslavia so far achieved during the biennium 2002-2003,

1. *Takes note* of the reports of the Secretary-General on the financing for the biennium 2004-2005 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee,[2] subject to the provisions of the present resolution;

3. *Notes with concern* the levels of unpaid assessed contributions, and urges Member States to pay their assessed contributions on time, in full and without conditions;

4. *Concurs* with the view of the Advisory Committee that continued close collaboration between the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda is essential, and urges the Secretary-General to take all necessary measures to ensure this;

5. *Decides* not to endorse the recommendation contained in paragraph 38 of the report of the Advisory Committee;[2]

6. *Encourages* Member States to consider paying their assessments in euros, consistent with regulation 3.9 and rule 103.3 of the Financial Regulations and Rules of the United Nations;[3]

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[1] A/58/226, A/58/288 and A/58/368.

[2] A/58/449.

[3] ST/SGB/2003/7.

7. *Requests* the Secretary-General to ensure that the report requested by the Assembly in paragraph 2 of its resolution 55/225 A of 23 December 2000, including the views of the Board of Auditors thereon, is submitted to the General Assembly at the main part of its fifty-ninth session;

8. *Welcomes* the efforts of the Secretary-General to present the proposed programme budget for the biennium 2004-2005 in a results-based-budgeting format, and encourages the Secretary-General to make further progress in this regard;

9. *Invites* the Security Council to continue to monitor closely the progress made by the Tribunal towards completing its mandate, in accordance with the completion strategy;

10. *Requests* the Secretary-General to develop further the link between the Tribunal's completion strategy and objectives and the resources requested in future budget proposals;

11. *Also requests* the Secretary-General to continue, where appropriate, to prioritize and deploy resources in support of the completion strategy and to report thereon in the context of the first and second performance reports for the biennium 2004-2005;

12. *Further requests* the Secretary-General to undertake efficiency measures to streamline the work of the Tribunal and to provide an assessment of the financial impact of those measures in the context of future budget proposals;

13. *Encourages* the Tribunal to continue to implement and closely monitor reforms to its legal aid system and to report thereon, in particular on consequent savings in defence costs, in the first performance report for the biennium 2004-2005;

14. *Recalls* paragraph 25 of its resolution 58/__ of __ December 2003, and requests the Secretary-General to include, where appropriate, the International Tribunal for the Former Yugoslavia in the scope of his consideration and recommendations referred to in paragraphs 38 and 39 of his comprehensive report on the progress made by the International Criminal Tribunal for Rwanda in reforming its legal aid system;[4]

15. *Decides* that vacancy rates of 10.2 per cent for Professional staff and 7.3 per cent for General Service staff shall be used as a basis for the calculation of the budget for the biennium 2004-2005;

16. *Decides* not to approve the proposed increase in resources for consultants and experts;

17. *Decides* to approve the proposed post and non-post resources for the Investigations Division in 2004 and to defer consideration of the resource requirements for the Division for 2005 to its fifty-ninth session;

18. *Requests* the Secretary-General to resubmit, in the context of the first performance report for the biennium 2004-2005, a proposal for the resource requirements for the Investigations Division for 2005, and to ensure that the proposal is adequate for the effective implementation of the completion strategy;

[4] A/58/366.

19. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 28 of its report;[2]

20. *Concurs* with the Advisory Committee that the volume of work and the pace of completion should be monitored continuously in order to determine whether some of the posts identified for abolition or redeployment could be abolished or released for transfer to other areas of the Tribunal before the second half of 2005;

21. *Decides* to reduce the appropriation for contractual services to the level proposed in the second performance report on the programme budget for the biennium 2002-2003[5] as the proposed final appropriation, before recosting, given the savings achieved in respect of defence counsel during the biennium;

22. *Decides also* to reduce the proposed resources for travel of Registry staff by 200,000 United States dollars;

23. *Decides further* to appropriate to the Special Account for the International Tribunal for the Former Yugoslavia the total amount of 298,226,300 dollars for the biennium 2004-2005, as detailed in the annex to the present resolution;

24. *Decides* that the financing of the appropriation for the biennium 2004-2005 under the Special Account shall take into account the estimated income of 184,000 dollars for the biennium 2004-2005, which shall be set off against the aggregate amount of the appropriation;

25. *Decides also* that the total assessment for 2004 under the Special Account, amounting to 174,689,650 dollars, shall consist of:

(a) 149,021,150 dollars, being half of the estimated appropriation approved for the biennium 2004-2005;

(b) 25,668,500 dollars, being the increase in the final appropriation for the biennium 2002-2003 approved by the General Assembly in its resolution 58/__ of __ December 2003;

26. *Decides further* to apportion the amount of 87,344,825 dollars, being half of the total assessment for 2004, among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2004, as set out in its resolution 58/___ of __ December 2003;

27. *Decides* to apportion the amount of 87,344,825 dollars, being half of the total assessment for 2004, among Member States in accordance with the rates of assessment applicable to peacekeeping operations for 2004;

28. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 26 and 27 above, the amount of 20,051,150 dollars, consisting of:

(a) 13,185,850 dollars, being half of the estimated staff assessment income approved for the Tribunal for the biennium 2004-2005;

[5] See A/58/593.

(b) 6,865,300 dollars, being the increase in staff assessment income for the biennium 2002-2003 approved by the General Assembly in its resolution 58/___ of __ December 2003.

Annex

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2004-2005

(In United States dollars)

	Gross	*Net*
1. Estimated appropriation for the biennium 2004-2005	327 323 000	296 955 800
2. Recommendations of the Advisory Committee on Administrative and Budgetary Questions	(20 000 000)[a]	(19 948 800)[a]
3. Recommendations of the Fifth Committee	(9 096 700)	(5 152 400)
4. Revised estimated appropriation for the biennium 2004-2005	298 226 300	271 854 600
Less:		
5. Estimated income for the biennium 2004-2005	(184 000)	(184 000)
6. Total assessment for 2004,[b] comprising:	**174 689 650**	**154 638 500**
(a) Requirements representing half of the estimated appropriation for the biennium 2004-2005	149 021 150	135 835 300
(b) Requirements arising from the final appropriation for the biennium 2002-2003	25 668 500	18 803 200
Including:		
7. Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2004	87 344 825	77 319 250
8. Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2004	87 344 825	77 319 250

[a] The recommendations of the Advisory Committee were not fully endorsed (see paras. 5 and 19 of the resolution. This has been taken into account in formulating line 3 above.

[b] For 2005, the relevant amount will be assessed by the General Assembly at its fifty-ninth session.

United Nations A/58/581

General Assembly

Distr.: General
19 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda item 133

Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations

Report of the Fifth Committee

Rapporteur: Mr. Fouad **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Scale of assessments for the apportionment of the expenses of the United Nations peacekeeping operations" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 8th and 29th meetings on 23 October and 18 December 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.8 and 29).

3. For its consideration of the item, the Committee had before it the report of the Secretary-General on the implementation of General Assembly resolutions 55/235 and 55/236 (A/58/157 and A/58/157/Add.1).

II. Consideration of draft resolution A/C.5/58/L.45

4. At the 29th meeting, on 18 December, the representative of Sweden, coordinator of the informal consultations on this item, introduced, on behalf of the Chairman, a draft resolution entitled "Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations" (A/C.5/58/L.45).

5. At the same meeting, the Committee adopted draft resolution A/C.5/58/L.45 without a vote (see para. 6).

03-66604 (E) 191203

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations

The General Assembly,

Recalling its resolutions 55/235 and 55/236 of 23 December 2000,

Recalling also its request to the Secretary-General in its resolution 55/235 to update the composition of the levels of contribution of Member States for peacekeeping operations described therein on a triennial basis, in conjunction with the regular budget scale of assessment reviews, in accordance with the criteria established in the resolution, and to report thereon to the Assembly,

Having considered the report of the Secretary-General on the implementation of its resolutions 55/235 and 55/236,[1]

1. *Takes note* of the report of the Secretary-General[1] and of the updated composition of levels of contribution for peacekeeping operations for the period 2004 to 2006 contained therein;[2]

2. *Endorses* the updated composition of levels of contribution for peacekeeping operations for the period 2004 to 2006 contained in the addendum to the report of the Secretary-General;[3]

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the updating of the composition of levels of contribution for peacekeeping operations for the period 2007 to 2009, in accordance with the provisions of resolution 55/235.

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[1] A/58/157 and A/58/157/Add.1.

[2] A/58/157, annex II.

[3] A/58/157/Add.1, annex.

United Nations A/58/582

General Assembly

Distr.: General
10 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda item 134

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Fifth Committee

Rapporteur: Mr. Fouad A. **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session, the item entitled "Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 9th, 19th, 20th, 22nd and 26th meetings on 24 October, 17, 21 and 26 November and 10 December 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.9, 19, 20, 22 and 26).

3. For its consideration of the item, the Committee had before it the following documents:

United Nations Logistics Base at Brindisi

Note by the Secretary-General on the transfer of buildings to the United Nations Logistics Base at Brindisi (A/58/596);

Report of the Advisory Committee on Administrative and Budgetary Questions on the transfer of buildings to the United Nations Logistics Base at Brindisi (A/58/609);

03-65028 (E) 121203

Report of the Joint Inspection Unit

Note by the Secretary-General transmitting the report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations (A/57/78);

Note by the Secretary-General transmitting his comments on the report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations (A/57/78 and Add.1);

Report of the Advisory Committee on Administrative and Budgetary Questions on reports of the Joint Inspection Unit (A/57/434);

Audit of the establishment and management of mission subsistence allowance rates

Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates (A/56/648);

Special measures for protection from sexual exploitation and sexual abuse

Note by the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/58/559).

II. Consideration of proposals

A. Draft resolution A/C.5/58/L.9

4. At the 9th meeting, on 24 October, the representative of Argentina, coordinator of the informal consultations on this question, introduced, on behalf of the Chairman, a draft resolution entitled "Report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations" (A/C.5/58/L.9).

5. At the same meeting, the Committee adopted draft resolution A/C.5/58/L.9 without a vote (see para. 12, draft resolution I).

B. Draft resolution A/C.5/58/L.10

6. At the 9th meeting, on 24 October, the representative of South Africa, coordinator of the informal consultations on this question, introduced, on behalf of the Chairman, a draft resolution entitled "Report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates" (A/C.5/58/L.10).

7. At the same meeting, the Committee adopted draft resolution A/C.5/58/L.10 without a vote (see para. 12, draft resolution II).

C. Draft decision A/C.5/58/L.29

8. At the 26th meeting, on 10 December, the Committee had before it a draft decision entitled "Transfer of buildings to the United Nations Logistics Base at Brindisi" (A/C.5/58/L.29), which was submitted by the representative of the Netherlands, Vice-Chairman of the Committee, on the basis of informal consultations.

9. At the same meeting, the Committee adopted draft decision A/C.5/58/L.29 without a vote (see para. 13, draft decision I).

D. Draft decision proposed by the Chairman

10. Also at the 26th meeting, on 10 December, on the proposal of the Chairman, the Committee decided, without objection, to take note of the note by the Secretary-General on special measures for protection from sexual exploitation and sexual abuse.

11. At the same meeting, the Committee adopted the oral draft decision proposed by the Chairman without a vote (see para. 13, draft decision II).

III. Recommendations of the Fifth Committee

12. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations

The General Assembly,

Having considered the report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations[1] and the note by the Secretary-General transmitting his comments thereon,[2]

Having also considered the report of the Advisory Committee on Administrative and Budgetary Questions,[3]

1. *Takes note* of the report of the Joint Inspection Unit on reforming the Field Service category of personnel in United Nations peace operations[1] and of the comments of the Secretary-General thereon;[2]

2. *Also takes note* of the related observations and recommendations made by the Advisory Committee on Administrative and Budgetary Questions;[3]

3. *Approves* recommendations 1 to 6 contained in the report of the Joint Inspection Unit.[1]

[1] A/57/78.
[2] A/57/78/Add.1.
[3] See A/57/434, paras. 2-4.

Draft resolution II
Report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

Having considered the report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates,[1]

1. *Takes note* of the report of the Office of Internal Oversight Services on the audit of the establishment and management of mission subsistence allowance rates;[1]

2. *Reaffirms* its resolution 56/246 of 24 December 2001, particularly paragraph 8;

3. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services to submit an updated report on the question of mission subsistence allowance rates to the General Assembly at the second part of its resumed fifty-eighth session.

* * *

[1] A/56/648.

13. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decisions:

Draft decision I
Transfer of buildings to the United Nations Logistics Base at Brindisi, Italy

The General Assembly:

(a) Expresses its appreciation to the Government of Italy for offering five additional buildings to the United Nations Logistics Base at Brindisi, Italy;

(b) Takes note of the note by the Secretary-General on the proposal for the acceptance of five additional buildings pledged by the Government of Italy to the United Nations Logistics Base[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

(c) Approves the transfer of five additional buildings pledged by the Government of Italy to the United Nations Logistics Base;

(d) Decides to keep under review during its fifty-eighth session the question of the financing of the United Nations Logistics Base.

[1] A/58/596.
[2] A/58/609.

Draft decision II
Special measures for protection from sexual exploitation and sexual abuse

The General Assembly takes note of the note by the Secretary-General on special measures for protection from sexual exploitation and sexual abuse.[1]

[1] A/58/559.

United Nations A/58/583

General Assembly

Distr.: General
1 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda item 138

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Fifth Committee

Rapporteur: Mr. Fouad **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty- eighth session the item entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 19th, 20th and 22nd meetings, on 17, 21 and 26 November 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.19, 20 and 22).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the budget for the United Nations Organization Mission in the Democratic Republic of the Congo for the period from 1 July 2003 to 30 June 2004 (A/58/381);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions (A/58/447 and Corr.1).

II. Consideration of draft resolution A/C.5/58/L.24

4. At its 22nd meeting, on 26 November 2003, the representative of Venezuela, Vice-Chairman of the Committee and coordinator of informal consultations on this item, introduced a draft resolution entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo" (A/C.5/58/L.24).

5. At the same meeting, the Committee adopted draft resolution A/C.5/58/L.24 without a vote (see para. 6).

03-63552 (E) 031203

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Organization Mission in the Democratic Republic of the Congo[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolutions 1258 (1999) of 6 August 1999 and 1279 (1999) of 30 November 1999, regarding, respectively, the deployment to the Congo region of military liaison personnel and the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1493 (2003) of 28 July 2003, by which the Council also authorized increasing the military strength of the Mission,

Recalling also its resolution 54/260 A of 7 April 2000, on the financing of the Mission, and its subsequent resolutions thereon, the latest of which was resolution 57/335 of 18 June 2003,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Organization Mission in the Democratic Republic of the Congo as at 31 October 2003, including the contributions outstanding in the amount of 139.7 million United States dollars, representing some 9.1 per cent of the total assessed contributions, notes with concern that only thirty-two Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full;

[1] A/58/381.

[2] A/58/447 and Corr.1.

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to ensure their full implementation;

9. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy, particularly with regard to air transport;

10. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

Budget estimates for the period from 1 July 2003 to 30 June 2004

11. *Decides* to appropriate to the Special Account for the United Nations Organization Mission in the Democratic Republic of the Congo the amount of 59,038,300 dollars for the maintenance of the Mission for the period from 1 July 2003 to 30 June 2004, in addition to the amount of 582 million dollars already appropriated and apportioned for the same period under the terms of its resolution 57/335;

12. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

13. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

14. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

15. *Decides* to keep under review during its fifty-eighth session the item entitled "Financing of the United Nations Organization Mission in the Democratic Republic of the Congo".

United Nations A/58/584

General Assembly

Distr.: General
1 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda item 140

Financing of the United Nations Mission of Support in East Timor

Report of the Fifth Committee

Rapporteur: Mr. Fouad **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Financing of the United Nations Mission of Support in East Timor" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 19th and 22nd meetings, on 17 and 26 November 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.19 and 22).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the revised budget for the United Nations Mission of Support in East Timor for the period from 1 July 2003 to 30 June 2004 (A/58/192);

(b) Report of the Secretary-General on the donation of assets of the Mission to the Government of Timor-Leste (A/58/192/Add.1);

(c) Report of the Advisory Committee on Administrative and Budgetary Questions (A/58/409).

II. Consideration of draft resolution A/C.5/58/L.16

4. At the 22nd meeting, on 26 November, the representative of Saudi Arabia, Rapporteur of the Committee and coordinator of the informal consultations on this

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item, introduced a draft resolution entitled "Financing of the United Nations Mission of Support in East Timor" (A/C.5/58/L.16).

5. At the same meeting, the Committee adopted draft resolution A/C.5/58/L.16 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Mission of Support in East Timor

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission of Support in East Timor,[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolution 1272 (1999) of 25 October 1999 regarding the establishment of the United Nations Transitional Administration in East Timor and the subsequent resolutions by which the Council extended the mandate of the Transitional Administration, the last of which was resolution 1392 (2002) of 31 January 2002, by which the mandate was extended until 20 May 2002,

Recalling also Security Council resolution 1410 (2002) of 17 May 2002, by which the Council established the United Nations Mission of Support in East Timor as of 20 May 2002 for an initial period of twelve months, and its subsequent resolution 1480 (2003) of 19 May 2003, by which the Council extended the mandate of the Mission until 20 May 2004,

Recalling further its resolution 54/246 A of 23 December 1999 on the financing of the United Nations Transitional Administration in East Timor and its subsequent resolutions on the financing of the United Nations Mission of Support in East Timor, the latest of which was resolution 57/327 of 18 June 2003,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission and to the Trust Fund for the United Nations Transitional Administration in East Timor,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Transitional Administration in East Timor and the United Nations Mission of

[1] A/58/192 and Add.1.
[2] A/58/409.

Support in East Timor as at 31 October 2003, including the contributions outstanding in the amount of 65.5 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only forty-three Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Transitional Administration and the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[7] and requests the Secretary-General to ensure their full implementation;

Revised budget estimates for the period from 1 July 2003 to 30 June 2004

9. *Decides* to appropriate to the Special Account for the United Nations Mission of Support in East Timor the amount of 23,827,500 dollars for the maintenance of the Mission for the period from 1 July 2003 to 30 June 2004, in addition to the amount of 193,337,100 dollars already appropriated for the same period under the terms of resolution 57/327;

Financing of the appropriation

10. *Decides also*, taking into account the amount of 193,337,100 dollars previously apportioned under the terms of its resolution 57/327, to apportion among Member States the amount of 23,827,500 dollars at a monthly rate of 1,985,625 dollars, in accordance with the levels set out in resolution 55/235, as adjusted by the General Assembly in its resolutions 55/236 of 23 December 2000 and 57/290 A of 20 December 2002, and taking into account the scale of assessments for 2003 as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002

and for 2004,[3] subject to the decision of the Security Council to extend the mandate of the Mission;

11. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of the amount of 539,900 dollars at a monthly rate of 44,991 dollars, representing the additional estimated staff assessment income approved for the Mission;

Donation of assets to the Government of Timor-Leste

12. *Approves* the donation of the assets of the United Nations Mission of Support in East Timor, with a total inventory value of up to 35,262,900 dollars and corresponding residual value of up to 15,879,900 dollars, to the Government of Timor-Leste;

13. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

14. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

15. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

16. *Decides* to keep under review during its fifty-eighth session the item entitled "Financing of the United Nations Mission of Support in East Timor".

[3] To be adopted by the General Assembly.

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General Assembly

Distr.: General
2 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda item 143 (a)

Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission

Report of the Fifth Committee

Rapporteur: Mr. Fouad **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 19th and 22nd meetings, on 17 and 26 November 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.19 and 22).

3. For its consideration of the item, the Committee had before it:

A note by the Secretary-General on the financing of the United Nations Iraq-Kuwait Observation Mission for the period from 1 July 2003 to 30 June 2004 (A/58/386) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/58/441).

II. Consideration of draft decision A/C.5/58/L.17

4. At the 22nd meeting, on 26 November, the representative of Guatemala, coordinator of the informal consultations on this item, introduced, on behalf of the Chairman, a draft decision entitled "Financing of the United Nations Iraq-Kuwait Observation Mission" (A/C.5/58/L.17).

03-63715 (E) 041203

5. At the same meeting, the Committee adopted draft decision A/C.5/58/L.17 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Financing of the United Nations Iraq-Kuwait Observation Mission

The General Assembly:

(a) Takes note of the note by the Secretary-General on the financing of the United Nations Iraq-Kuwait Observation Mission for the period from 1 July 2003 to 30 June 2004[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

(b) Decides to keep under review, during its fifty-eighth session, the sub-item entitled "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission".

[1] A/58/386.
[2] A/58/441.

United Nations A/58/586

General Assembly

Distr.: General
19 December 2003
English
Original: Arabic

Fifty-eighth session
Agenda items 120, 121 and 161

Programme budget for the biennium 2002-2003
Proposed programme budget for the biennium 2004-2005
Financing of the United Nations Mission in Côte d' Ivoire

Report of the Fifth Committee

Rapporteur: Mr. Fouad **Rajeh** (Saudi Arabia)

I. Introduction

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the items entitled "Programme budget for the biennium 2002-2003", "Proposed programme budget for the biennium 2004-2005" and "Financing of the United Nations Mission in Côte d' Ivoire" and to allocate them to the Fifth Committee.

2. The Fifth Committee considered the item on the financing of the United Nations Mission in Côte d' Ivoire under the three agenda items at its 20th, 22nd and 29th meetings, on 21 and 26 November and 18 December 2003. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/58/SR.20, 22 and 29).

3. For its consideration of the item, the Fifth Committee had before it the following documents:

(a) Report of the Secretary-General on the budget for the United Nations Mission in Côte d' Ivoire for the period from 13 May 2003 to 30 June 2004 (A/58/370);

(b) Note by the Secretary-General on the budget for the United Nations Mission in Côte d' Ivoire (A/58/598);

(c) Letter dated 27 October 2003 from the Secretary-General addressed to the President of the General Assembly (A/58/535);

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(d) Letter dated 29 October 2003 from the President of the General Assembly addressed to the Chairman of the Fifth Committee (A/C.5/58/12);

(e) Report of the Advisory Committee on Administrative and Budgetary Questions (A/58/538).

II. Consideration of draft resolution A/C.5/58/L.37

4. At its 29th meeting, on 18 December, the Committee had before it a draft resolution entitled "Financing of the United Nations Mission in Côte d' Ivoire" (A/C.5/58/L.37), which was submitted by the representative of the Netherlands and Vice-Chairman of the Committee, on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/58/L.37 without a vote (see para. 7).

6. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of Botswana (on behalf of the States Members of the United Nations that are members of the African Group) and Japan.

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Mission in Côte d'Ivoire

The General Assembly,

Having considered the report of the Secretary-General on the budget for the United Nations Mission in Côte d'Ivoire for the period from 13 May 2003 to 30 June 2004,[1] the note by the Secretary-General concerning the budget for the United Nations Mission in Côte d'Ivoire[2] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[3]

Having also considered the letter dated 27 October 2003 from the Secretary-General addressed to the President of the General Assembly[4] and the letter dated 29 October 2003 from the President of the General Assembly addressed to the Chairman of the Fifth Committee[5] regarding the United Nations Mission in Côte d'Ivoire,

1. *Reaffirms*, in the context of the decision of the Security Council with respect to the financing of the United Nations Mission in Côte d'Ivoire, the role of the General Assembly, as set out in Article 17 of the Charter of the United Nations, as the organ to consider and approve the budget of the Organization, as well as the apportionment of its expenses among Member States;

[1] A/58/370.
[2] A/58/598.
[3] A/58/538.
[4] A/58/535.
[5] A/C.5/58/12.

2. *Notes* that the financing of the Mission up to now has been provided in accordance with the provisions of General Assembly resolution 49/233 A of 23 December 1994;

3. *Decides*, as a provisional and exceptional measure, to finance the Mission up to the expiration of its current mandate in accordance with the scale of assessments for the apportionment of the expenses of the United Nations under the regular budget;

4. *Decides also* that the issue of the most appropriate funding for the Mission upon the renewal of its mandate should be considered by the General Assembly at the first part of its resumed fifty-eighth session, in the context of established norms and practice;

5. *Requests* the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution.